

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION**

ORVAL DEWEY TANNER,)	
)	
Plaintiff,)	
)	Civil Action No. 5:10cv084
v.)	
)	
MICHAEL J. ASTRUE,)	By: Michael F. Urbanski
Commissioner of Social Security,)	United States District Judge
)	
Defendant.)	

ORDER

For the reasons stated in the accompanying Memorandum Opinion, the Report and Recommendation entered January 6, 2012 (Dkt. # 24) is **ADOPTED in part** and **DENIED in part**, the Commissioner's Motion for Summary Judgment (Dkt. # 17) is **DENIED**, plaintiff's Motion for Summary Judgment and request for remand (Dkt. # 13 & 22) are **GRANTED**, and the Commissioner's decision is hereby **REVERSED** and **REMANDED** for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

The Clerk is directed to send certified copies of this Order to all counsel of record.

It is **SO ORDERED**.

Entered: March 29, 2012

/s/ Michael F. Urbanski

Michael F. Urbanski
United States District Judge